

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL - Mahabubnagar District – Guntipalli H/o.Rekulapalli (V) Gadwal (M) - O.P.No.346/1995 - Sanction of decretal charges of **Rs.1,49,238/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 272

DATE:20.04.2009

Read :

From the Secy to Spl.CS to Govt & CCLA, AP, Hyd along with the
Proposal of the Special Collector, LA, Bheema Project, Mahabubnagar
Lr.No.SRP4/1195/2008, dt:01.01.2009.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.346/1995 pertaining to Guntipalli H/o.Rekulapalli (V) Gadwal (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.3.22 gts of dry land in Sy.No.65/3 situated at Guntipalli (V) for the purpose of submergence of PJP by fixing the land value @Rs.1500/- per acre vide Award No.4/1995, dt:28.03.1985. The awardees have filed their petitions U/s.18 of the L.A.Act. The Sr.Civil Judge, Gadwal in its judgment dt:26.10.2004 has enhanced the market value fixed by the LAO from Rs.1500/- to Rs.13,500/-. Aggrieved by the orders of the Sr.Civil Judge, Gadwal, the SDC, LA, PJP, Gadwal has filed appeal in Hon'ble Hih Court of A.P, Hyderabad. The Hon'ble High Court of AP, Hyd has granted interim orders dt:18.08.05 in respect of A.S.No.1246/05 towards payment of half of the decretal charges. Accordingly, an amount of Rs.1,31,284/- was sanctioned and deposited in Civil Court on 25.04.2006. Finally, the Hon'ble High Court in A.S.No.1242/2005, dt:20.11.2006 while allowing the appeal in part and in modification as the claimant is entitled to the interest and other benefits from the date of 4(1) notification i.e from 16.03.1994 till the date of payment of compensation.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,49,238/- (Rupees One lakh forty nine thousand two hundred and thirty eight only)** in respect of O.P.No.346/95 pertaining to Guntipalli H/o.Rekulapalli (V) Gadwal (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyd immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (26) - Dams and Appurtenant works - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1288/F2(2)/2009-1, dated 09.04.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, Kurnool

The Engineer-in-Chief, Irrigation & CAD, MBNR, Errammazil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.3503//LA-III(A2)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER